Encorcement of fundamental duties of the citizens

599. SHRI KARNENDU BHATTACHARJEE:

SHRI P. PRABHAKAR REDDY:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court of India has directed sometime back that Government should take up in right earnest necessary steps for enforcement of fundamental duties of the citizens as enshrined in the Constitution of India.

(b) if so, the details thereof; and

(c) the action taken/proposed to be taken thereon?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) to (c) A letter sent by Shri Justice Ranganath Mishra, retired Chief Justice of India, to the Chief Justice of India for teaching Fundamental Duties to the citizens of the country was treated as Writ Petition. The prayer made in the petition was accepted and a Committee was set up by the Government of India in October 1998 under the chairmanship of Justice J.S. Verma to operationalize the suggestions to teach Fundamental Duties to the citizens of India.

The Committee submitted its final Report on 11th January, 2000. The Report has been circulated to all the concerned Departments of the Central Government, State Governments and a number of autonomous organizations.

The Supreme Court of India, in August 2001, had observed that Fundamental Duties, as defined in Article 51A, are not enforceable by a writ of court whereas the Fundamental Rights are. The Hon'ble Supreme Court has in the case of Shri Ranganath Mishra vs. UOI & Anr. reported in 2003(6) has held as under:

"Keeping in view the fact that the Government of India would take notice of the recommendations of the aforesaid Commission/Committee, we agree with Shri K. Parasaran that the same may be considered in its right earnestness by the Central Goverment and we accordingly direct it to do so as also to take appropriate steps for their implementation as expeditiously as possible."

Most of the Ministries/organisations have accepted the recommendations for implementation. However, sensitizing citizens on fundamental duties is a continuous process.